

Serial No. 10/001,770
Amdt. dated June 23, 2005
Reply to Office Action of February 23, 2005

Attorney Docket No. PF02133NA

REMARKS/ARGUMENTS

Claims 1, 5 through 8 and 14 remain in this application. Claims 2 through 4, 9 through 13, and 15 through 20 have been canceled without prejudice or disclaimer. In addition, claims 1 and 14 have been amended.

Claims 1, 7, 8, and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,438,385 to Heinonen, et al. ("Heinonen, et al. patent") in view of U.S. Patent No. 6,011,973 to Nakamura, et al. ("Nakamura, et al. patent"). Claims 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Heinonen, et al. patent in view of the Nakamura, et al. patent and U.S. Patent No. 6,675,002 to Lipovski ("Lipovski patent").

Claim 1 as amended provides, *inter alia*, a transceiver configured to receive a mute command and a muting status information in response to the wireless communication device entering a silent zone; a programmable memory for storing device data associated with the wireless communication device; and a processor configured to activate a silent mode of the wireless communication device in response to the mute command and provide notification of a status of the wireless communication device through an advisory message to another device attempting to communicate with the wireless communication device, wherein the advisory message is constructed based on the muting status information received by the transceiver and the device data stored by the programmable memory. Claim 14 as amended provides, *inter alia*, storing device data associated with the wireless communication device; receiving a mute

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command and a muting status information in response to entering a specific zone in which communication devices are muted; and activating a silent mode of the wireless communication device in response to the mute command and providing notification of a status of the wireless communication device through an advisory message, constructed based on the muting status information and the device data, to another device attempting to communicate with the wireless communication device. In contrast, the Heinonen, et al. patent, the Nakamura, et al. patent and the Lipovski patent, individually and in combination, do not describe or suggest providing notification of a status of a wireless communication device through an advisory message constructed based on muting status information and device data, as required by amended claims 1 and 14, to one or more devices attempting to communicate with the wireless communication device. Therefore, claims 1 and 14 distinguish patentably from the Heinonen, et al. patent, the Nakamura, et al. patent, the Lipovski patent and any combination of these patents.

Claims 5 through 8 depend from and include all limitations of independent claim 1 as amended. Therefore, claims 5 through 8 distinguish patentably from the Heinonen, et al. patent, the Nakamura, et al. patent, the Lipovski patent and any combination of these patents for the reasons stated above for claim 1.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections of claims 1 through 20 are respectfully requested.

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CONCLUSION


No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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